

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

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BMG RIGHTS MANAGEMENT (US) LLC, *et al.*,

Plaintiff,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

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)  
) Case No. 1:14-cv-1611 (LOG/JFA)  
)  
) Bond Number: 016075590  
)  
)  
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**SUPERSEDEAS BOND**

**KNOW ALL MEN BY THESE PRESENTS**, that COX COMMUNICATIONS, INC. and COXCOM, LLC, as Principals, and Liberty Mutual Insurance Company, a Massachusetts corporation, as Surety, are held and firmly bound unto BMG RIGHTS MANAGEMENT (US) LLC in the Bond Amount of TWENTY-FIVE MILLION TWO-HUNDRED-FIFTY-FIVE THOUSAND SIX HUNDRED FIFTY AND 25/100 DOLLARS (\$25,255,650.25) for the payment of which, well and truly to be made, we bind ourselves, our successors and assigns, jointly and severally, firmly by these presents.

**WHEREAS**, COX COMMUNICATIONS, INC. and COXCOM, LLC have filed an appeal to the United States Court of Appeals for the Fourth Circuit (Case No. 16-1972) from the judgment entered in this action (ECF No. 796);

**NOW THEREFORE**, the conditions of this obligation is such that (i) if the judgment is vacated, then this obligation shall be null and void and released; or (ii) if the appeal is dismissed, or if the judgment is affirmed in whole or in part, and either COX COMMUNICATIONS, INC. or COXCOM, LLC shall pay such judgment, interest, as well as any costs awarded as a result of the appeal, then this obligation shall be null and void and released; otherwise this obligation will

remain in full force and effect, provided however, the maximum liability of the Surety shall not exceed the penal sum of TWENTY-FIVE MILLION TWO-HUNDRED-FIFTY-FIVE THOUSAND SIX HUNDRED FIFTY AND 25/100 DOLLARS (\$25,255,650.25).

IN WITNESS WHEREOF, COX COMMUNICATIONS, INC. and COXCOM, LLC, as Principals, and Liberty Mutual Insurance Company, as Surety, have hereunto set our hands this 15th day of June 2017.

ATTEST / WITNESS:

By: Jacqueline Murray

By: Jacqueline Murray

FOR THE PRINCIPAL:

COX COMMUNICATIONS, INC.

By: Joseph Hightower  
Title: SRP AND General Counsel

COXCOM, LLC

By: Joseph Hightower  
Title: SRP AND General Counsel

FOR THE SURETY:

Liberty Mutual Insurance Company

By: Dana L. McCaskey  
Title: Dana L. McCaskey, Attorney-in-Fact



APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

FERNANDO GALINDO, Clerk

By: \_\_\_\_\_  
Deputy Clerk

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 7735979

Liberty Mutual Insurance Company  
The Ohio Casualty Insurance Company West American Insurance Company

## POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Dana L. McCaskey

all of the city of Richmond, state of VA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 19th day of April, 2017.



The Ohio Casualty Insurance Company  
Liberty Mutual Insurance Company  
West American Insurance Company

By: David M. Carey  
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 19th day of April, 2017, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Teresa Pastella, Notary Public  
Upper Merion Twp., Montgomery County  
My Commission Expires March 28, 2021  
Member, Pennsylvania Association of Notaries

By: Teresa Pastella  
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

**ARTICLE IV – OFFICERS** – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

**ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings.** Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

**Certificate of Designation** – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

**Authorization** – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 15TH day of JUNE, 2017.



By: Renee C. Llewellyn  
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.